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DATE: 2/13/2009

SALARIED RETIREE OF DELPHI CORPORATION
DEBTORS AND DEBTORS-IN-POSSESSION

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE	CHAPTER 11
DELPHI CORPORATION, ET AL.,	CASE NO. 05-44481 (RDD)
DEBTORS.	(JOINTLY ADMINISTERED)

EMPLOYER-PAID POST-RETIREMENT HEALTH CARE BENEFITS AND
EMPLOYER- PAID POST-RETIREMENT LIFE INSURANCE BENEFITS FOR
CERTAIN (A) EMPLOYEES AND (B) RETIREES AND THEIR SURVIVING
SPOUSES ("SALARIED OPEB TERMINATION MOTION")

PRELIMINARY STATEMENT

I AM A RETIRED DELPHI EMPLOYEE; HAVING RETIRED IN APRIL 2002;
AT AGE 62; WITH 30.3 YEARS SERVICE WITH GENERAL MOTORS AND 3.2
YEARS SERVICE WITH DELPHI CORPORATION, FOR A TOTAL OF 33.5 YEARS,
OF VERY DEDICATED LOYAL ENGINEERING ACTIVITY {SOME
PROCEDURES/STANDARDS I DEVELOPED ARE STILL CURRENTLY
UTILIZED ON THE PRODUCTION FLOOR - WORLDWIDE}- ALSO, I AM A
SECOND GENERATION GM EMPLOYEE.

AS THE COURT KNOWS, DELPHI CORPORATION FILED A MOTION WITH THE
U.S. BANKRUPTCY COURT TO DISCONTINUE HEALTH CARE AND LIFE
INSURANCE COVERAGE FOR RETIREES. THE NOTICE ALSO STATED
RETIREE HEALTH CARE REIMBURSEMENT ACCOUNT (RHRA) WOULD BE
CANCELLED FOR THE FUTURE RETIREES {EMPLOYEED PRIOR TO 1992}
AND TERMINATED AND RESINDED FOR CURRENT AGE 65 AND OLDER
RETIREEES!! THIS ACCOUNT WAS ESTABLISHED AS PART OF A DEAL [WITH
IRS TAX CREDITS FOR THIS PROGRAM ESTABLISHMENT] TO TERMINATE
THE LIFE TIME OBLIGATION FOR HEALTH CARE BENEFITS FOR RETIREES.
BEGINNING WITH CALANDER YEAR 2007. \$20,000.00 WAS TO BE
DEPOSITED INTO EACH RETIREE'S (RHRA). THIS COULD NOT BE RECINDED
OR MODIFIED BY DELPHI CORP!! IT WOULD BE ADMINISTERED BY AN
OUTSIDE CONTRACTED COMPANY. THIS PROGRAM WAS TO BE A BUFFER
FOR RETIREES TO PROGRESS TO BUDGETING HEALTH CARE EXPENSES

INTO THEIR FIXED INCOME BURDENS. [[JUST A SIDE NOTE – MY MOTHER’S GM HEALTH CARE LIFETIME BENEFIT IN THE 1990’S WAS MODIFIED BY THE FEDERAL COURTS‘ IN A CLASS ACTION SUITE’ AGAINST GM MODIFICATION OF THE BENEFIT REQUIRING RETIREE PAYMENT OF A MONTHLY PREMIUM PAYMENT FOR HEALTH CARE.]]

I AM CONTESTING THIS MOTION FOR THE FOLLOWING REASONS:

- 1.) THE OBLIGATION DELPHI HAS TO PROVIDE LIFE TIME HEALTH CARE COVERAGE FOR RETIREES HAS BEEN MODIFIED WITH THE ESTABLISHMENT OF A \$20,000 (RHRA); TO ASSIST RETIREES TO ADJUST THEIR FIXED INCOME RETIREMENT FUNDS TO INCLUDE HEALTH CARE COMMENCING IN 2007, FOR RETIREES OVER THE AGE OF 65 YEARS.
- 2.) THE OBLIGATION DELPHI HAS TO PROVIDE HEALTH CARE COVERAGE FOR RETIREES IS TIME LIMITED. COVERAGE FOR RETIREES IS STOPPED; WHEN, RETIREES REACH AGE 65. RETIREES HIRED AFTER 1992 DO NOT RECEIVE HEALTH CARE COVERAGE IN RETIREMENT.
- 3.) PEOPLE HIRED AFTER DECEMBER 31, 1992 KNEW THEY WOULD NOT RECEIVE HEALTH CARE COVERAGE IN RETIREMENT; WHEN, THEY HIRED IN. THUS, THEY HAVE HAD TIME TO PLAN FOR HEALTH CARE IN RETIREMENT. ALSO, DELPHI HAS A PLAN FOR THE EMPLOYEES TO HAVE A SPECIAL PAYROLL DEDUCTION ACCOUNT TO COVER THIS HEALTH CARE OBLIGATION AFTER AGE 65 IN RETIREMENT. PEOPLE; WHO, WERE HIRED IN THE ‘60’s, ‘70’s AND ‘80’s; WERE TOLD BY THE COMPANIES, GM THEN LATER DELPHI, WE WOULD RECEIVE HEALTH CARE COVERAGE IN RETIREMENT AND NOW WE HAVE NO TIME TO PLAN FOR PROVIDING OURSELFS AND OUR FAMILY WITH HEALTH CARE AFTER RETIREMENT. PEOPLE, LIKE ME, ALREADY RETIRED ARE IN A MUCH WORSE SITUATION. IT WILL COST AN ESTIMATED \$5000.+ PER COUPLE, PER YEAR – EXPERIENCED CURRENTLY!! THIS DOES NOT INCLUDE THE COST OF A LIFE INSURANCE POLICY. I DO NOT KNOW WHAT A REPLACEMENT LIFE INSURANCE POLICY FOR \$130,000. TERM LIFE WOULD COST, TODAY??
- 4.) MY ESTIMATE OF THE SAVINGS TO THE DELPHI CORP. FOR RECINDING THE BALANCE OF THE (RHRA) IS THE FOLLOWING:
1500 est. AGE 65 AND OVER {1500 x \$20,000. = \$30,000,000.}
1500 est. RECINDED FUNDS (1500 x \$7500. = \$ 11,250,000.)
\$7500. est. FUNDS REMAINING IN EACH RETIREES (RHRA).
WHAT WILL THE DOLLAR GOVERNMENT OBLIGATION BE FOR THESE RETIREES AND DEPENDENTS WITH THE RECINDING OF THESE FUNDS AND THE POTENTIAL WELFARE CIRCUMSTANCES THESE PEOPLE COULD BECOME A PART OF???

- 5.) I SUGGEST THE BANKRUPTCY LAWYERS / BANKRUPTCY ADMINISTRATORS / DELPHI CORP EXECUTIVES {FUTURE BONUSES} INCOME BE MODIFIED TO OFFSET THESE (RHRA) FUNDS REMAINING IN OUR ACCOUNTS. AT AGE 68 WITH A MISSING THUMB JOINT; I AM NOT AN EMPLOYABLE PERSON (I COULD NOT PASS A BASIC WORK PHYSICAL) AT THIS TIME. THUS, I CAN NOT OFFSET THIS ADDITIONAL HEALTH CARE OBLIGATION AT THIS TIME. THE THUMB REHABILITATION TIME IS ESTIMATED AT (1) YEAR; IF, ADDITIONAL SURGERY IS NOT REQUIRED WITH ADDITIONAL REHABILITATION TIME REQUIRED.

SUMMARY:

I UNDERSTAND THE EXTRAORDINARY DIFFICULT ECONOMIC TIMES THAT OUR COUNTRY AND DELPHI CORPORATION ARE EXPERIENCING. WE THE U.S. CITIZENS ARE EXPERIENCING THIS SAME ECONOMIC TIMES – LOCATION - “WHERE THE RUBBER MEETS THE ROAD”!

1.) YOUR HONOR, I SUGGEST, YOU STOP THE RECYCLING OF THE (RHRA) FUNDS ALREADY PLACED IN THE CARE OF THE ADMINISTARTING COMPANY FOR DISTRIBUTION TO RETIREES OVER AGE 65..

2.) YOUR HONOR, I SUGGEST THE FUNDS TO BE PLACED IN A RETIREES (RHRA) AGE 62 TO 65 SHOULD NOT BE TERMINATED OR MODIFIED.

3.) RETIREES, AGE LESS THAN 62; HAVE A GOOD OPPORTUNITY TO BE EMPLOYED AGAIN TO OFFSET THIS HEALTH CARE OBLIGATION; DELPHI'S FUTURE HEALTH CARE OBLIGATION COULD BE MODIFIED UNTIL IT COULD BE RE-ESTABLISHED – WHEN DELPHI CORP. ECONOMIC CIRCUMSTANCES IMPROVE AND THEY COME OUT OF BANKRUPTCY.

4.) YOUR HONOR, HOW WOULD YOU FEEL WEARING MY SHOES, TODAY, WITH THE FOLLOWING THOUGHTS?? {{A COMPANY CONTRACTED TO DELPHI WITH PROCEDURES/STANDARDS BEING UTILIZED BY WORLDWIDE DELPHI CORP. WOULD BE GETTING MONETARY CONSIDERATION FOR THEIR WORK. MY MONETARY CONSIDERATION CURRENTLY IS THE FOLLOWING: DELPHI HAS REQUESTED: “ RECYCLE THE (RHRA) FUNDS ON DEPOSIT FOR ME”!!!}}

YOUR HONOR, THANK YOU FOR YOUR TIME AND CONSIDERATION OF THIS LETTER.

RESPECTFULLY SUBMITTED, JAMES M. (MIKE) VAN WINKLE